

administration or the school board will come to that teacher, particularly if they are a probationary teacher, and say, we would like you to supervise the pep club or we would like you to take part in the one-act plays and supervise those or we would like you to coach the debate club. And many times these extracurricular activities, the pay for them is very minimal, and often as a lawyer who has represented teachers, I get questions from probationary teachers who come to me and say, Jim, I've been contacted by my school board, they want me to supervise the cheerleader squad. I don't feel like I've really been trained to do that, but I'm afraid if I don't accept it that the school board will not reappoint me. And I have to tell them that that is exactly what might happen, particularly if they are a probationary teacher, because as a probationary teacher, the school board or the school district can hire or not rehire you based upon any reason, and that if you decline that activity, you may be putting yourself at risk as far as your job is concerned. And I have to admit when tenured teachers call me on that issue, I have to tell them the same thing. I think their case may be stronger, but there has never been any court decision to determine whether a teacher would be protected if he or she declined to take an extracurricular duty and was fired because of it. So what I tell even tenured teachers, I say, you know, you can decline that extracurricular duty assignment, but you're at risk, and if the school board and the school district decides to terminate your contract, you can fight it in court but it's going to be a two-year battle and you're going to be out of work for a year, and as a result, these teachers, both probationary and tenured teachers, are, in effect, coerced or required to participate and supervise those extracurricular duties. One of the persons with the teachers association has called it the last vestige of involuntary servitude in our country. I think it is overstating it a little bit but not much. The problem when teachers are coerced into taking these kind of duties is that if they are unqualified or if it is an involuntary type of duty for them, many of them have said, you know, I try to do the best I can but I end up doing this extracurricular activity in a very perfunctory manner. My heart isn't in it, I try to do the best I can, but deep down I want to do a satisfactory job but I don't want to do such a good job that they will reappoint me next year. I want to go through the motions, do the activity, and if they don't reappoint me the next year, that's fine with me. And as a result I think the quality of education suffers and I think this is the real reason that this bill is important because I think it will improve the